



Department of Infrastructure,
Local Government and Planning

Our ref: DEV2014/586

29 November 2017

Economic Development Queensland
C/- Ms Anna Havill
Saunders Havill Group
9 Thompson Street
BOWEN HILLS QLD 4006

Dear Anna

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – CAR PARK (TEMPORARY USE) AT 221 AND 257–281, MACARTHUR AVENUE, HAMILTON DESCRIBED AS LOTS 1201 AND 1202 ON SP160055 AND LOT 1302 ON SP195300 AND PART LOT 1303 ON SP195300 (CURRENTLY DESCRIBED AS LOT 302 ON SP257483)

On 29 November 2017, it was decided to grant all of the amendment application applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can be viewed in the Development Approvals Register via the Department of Infrastructure, Local Government and Planning website www.dilgp.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Jennifer Davison on 3452 7127.

Yours sincerely

A handwritten signature in black ink, appearing to read "BG", with a small flourish at the end.

Beatriz Gomez
Director – EDQ Development Assessment

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Northshore Hamilton	
Site address	221 & 257–281, MacArthur Avenue, Hamilton	
Lot on plan description	Lot number	Plan description
	Lot 1201	SP160055
	Lot 1202	SP160055
	Lot 1302	SP195300
	Part Lot 1303	SP195300 (Current description is Lot 302 on SP257483)
PDA development application details		
DEV reference number	DEV2014/586	
'Properly made' date	17 October 2017	
Type of application	<input type="checkbox"/> New development involving: <ul style="list-style-type: none"> <input type="checkbox"/> Material change of use <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit <input type="checkbox"/> Reconfiguring a lot <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit <input type="checkbox"/> Operational work <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Development permit <input checked="" type="checkbox"/> Changing a PDA development approval <input type="checkbox"/> Extending the currency period of a PDA approval	
Description of proposal applied for	Change to PDA Development Approval for a PDA Development Permit for a Material Change of Use for Car Park (Temporary Uses)	

PDA development approval details			
Decision		It has been decided to grant all of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice.	
Original Decision date		6 November 2014	
Change to approval date		29 November 2017	
Currency period		3 years from the Original Decision date	
Plans and documents			
The plans and documents approved and referred to in the PDA development conditions concerning the PDA development approval are detailed below.			
Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Car Park Layout Sheet 2, prepared by Bornhorst and Ward Consulting Engineers	Drawing Number P5B-FL0002 REV 05	09.11.17, Amended in Red 24 November 2017

PREAMBLE

For the purpose of interpreting this Approval, including the Conditions of Approval, the following applies:

Compliance assessment

- a) Where a condition of this Approval requires compliance assessment, compliance assessment is required in accordance with the following.
- b) The applicant must pay the relevant fee associated with any request for compliance assessment, including any third-party specialists review fees which will be charged on a 100% cost recovery basis. The assessment fee is set out in the MEDQ's development assessment fee schedule in force at the date the assessment is lodged.
- c) Compliance assessment and endorsement by EDQ Development Assessment, DILGP is required prior to any work commencing, unless the works have been separately approved as enabling works or are exempt development.
- d) Compliance assessment and endorsement may be repeated where a different operational or building works design or solution to that already endorsed, is sought. Additional compliance assessment fees may be required.
- e) The process and timeframes that apply to compliance assessment are as follows:
 - i. the applicant submits plans and supporting information as required under the relevant condition for compliance assessment.
 - ii. **within 20 business days** – EDQ Development Assessment, DILGP assesses the plans and supporting information and:
 1. if satisfied with the information as submitted - endorses the information and the condition of approval (or element of the condition) is determined to have been met; or
 2. if not satisfied with the information as submitted – notifies the applicant accordingly

- iii. if the applicant is notified under ii.2. above, the information and plans addressing the concerns are to be resubmitted to EDQ Development Assessment, DILGP **within 20 business days** from the date of the notice.
 - iv. **within 20 business days** – EDQ Development Assessment, DILGP assesses the re-submitted plans and supporting information and:
 - 1. if satisfied with the re-submitted information lodged - endorses the plans and supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 - 2. if not satisfied with the information as submitted – notifies the applicant accordingly.
 - v. if EDQ Development Assessment, DILGP is not satisfied that compliance has been achieved, within **20 business days** - repeat steps iii. and iv. above. If either party is not satisfied by the outcome of this process, that party can elect to enter into a mediation process with an independent mediator agreed to by both parties.
 - vi. When EDQ Development Assessment, DILGP and applicant are both satisfied with the re-submitted information lodged - EDQ Development Assessment, DILGP endorses the plans and supporting information and the condition of approval (or element of the condition) is determined to have been met.
- f) The following generally outlines the information required to be submitted for compliance assessment which may be more specifically identified in a particular condition of approval:
- i. plans for each building (site plan, floor plans, elevations, sections, roof plans, private and visitor car parking, private and semi-private open space, etc);
 - ii. gross floor area schedule and apartment numbers;
 - iii. details of proposed building materials;
 - iv. public realm and landscape plans;
 - v. details of proposed roads and intersections (if required);
 - vi. end of trip facilities;
 - vii. access and car parking arrangements; and
 - viii. specialist assessment reports as required that may include traffic, heritage, civil engineering, geotechnical, flooding, acoustics and air quality.

ABBREVIATIONS

For the purposes of interpreting this Approval, the following is a list of abbreviations utilised in the conditions:

1. **Council** means Brisbane City Council.
2. **DILGP** means The Department of Infrastructure, Local Government and Planning.
3. **PDA** means Priority Development Area.
4. **RPEQ** means Registered Professional Engineer of Queensland.
5. **QUU** means Queensland Urban Utilities.

PDA Development Conditions

General

1.	<p>Carry out the approved development</p> <p>Carry out the approved development generally in accordance with the approved plans and/or documents.</p>	<p>Prior to commencement of use and to be maintained</p>
2.	<p>Maintain the approved development</p> <p>Maintain the approved development (including parking, driveways and other external spaces) generally in accordance with the approved drawings(s) and/or documents, and any relevant engineering or other approval/s required by the conditions.</p>	<p>As indicated</p>
3.	<p>Duration of Temporary Uses</p> <p>a) This PDA Development Approval is valid until 27 June 2021.</p> <p>b) Submit to EDQ Development Assessment, DILGP a decommissioning strategy outlining how all constructed infrastructure as a result of the PDA Development Approval will be removed and the site rehabilitated to its original state, at the conclusion of the use / duration of the PDA Development Approval.</p> <p>c) Carry out all necessary works as a result of part b) of this condition.</p>	<p>a) As indicated</p> <p>b) 3 months prior to the PDA Development Approval lapsing</p> <p>c) Prior to the PDA Development Approval lapsing</p>
4.	<p>Compliance Assessment – Site Improvements</p> <p>a) Where the installation of temporary site improvement is required on site, submit for compliance assessment to EDQ Development Assessment, DILGP, a plan identifying the proposed layout including location of any site improvements and car parking.</p> <p>b) The endorsed plan must form part of the Licence Agreement or Lease with the landowner.</p>	<p>a) Prior to a lease being entered into with the landowner</p> <p>b) To be maintained</p>
5.	<p>General Development Works</p> <p>Repair any damage to existing kerb and channel, footpath, roadway or other infrastructure that may occur during any works carried out in association with the approved activity.</p>	<p>Prior to commencement of use</p>
6.	<p>Licence Agreement or Lease with the Landowner</p> <p>Enter into and comply with the terms of the Licence Agreement or Lease executed with the landowner.</p>	<p>Prior to the commencement of each use</p>

Engineering		
7.	<p>Car Parking</p> <p>a) For the approved development activity, submit to Principal Engineer, EDQ Development Assessment, DILGP an on-site car park layout plan designed by a suitably qualified traffic engineer and certified by a RPEQ in accordance with <i>AS2890.1:2004 Parking Facilities – Off Street Parking</i>.</p> <p>b) Carry out work in accordance with part b) of this condition.</p>	Prior to the commencement of use
8.	<p>Public Access within and around the site</p> <p>Provide and maintain unimpeded and safe public access, within and around the site and ensure that access ways are designed to cater for disabled persons in accordance with AS1428.1.</p>	Prior to commencement of use and to be maintained
9.	<p>On-site vehicles</p> <p>No washing down of any vehicle is permitted on-site.</p>	At all times
10.	<p>Water Connection</p> <p>Provide water connection(s) capable of supporting the temporary use in accordance with Queensland Urban Utilities (QUU) adopted standards.</p>	Prior to commencement of use
11.	<p>Sewer Connection</p> <p>Provide sewer connection(s) capable of supporting the temporary use in accordance with QUU adopted standards.</p>	Prior to commencement of use
12.	<p>Onsite Drainage</p> <p>Stormwater run-off from roof and developed surfaces areas of the site, and any run-off onto the site from adjacent areas, are to be collected internally and directed to a lawful point of discharge in accordance with Brisbane City Council's <i>Subdivision and Development Guidelines</i>.</p>	Prior to the commencement of use and to be maintained
13.	<p>Outdoor Lighting</p> <p>The design and installation of any outdoor lighting complies with the requirements of <i>AS4282 – Control of the Obtrusive Effects of Outdoor Lighting</i>.</p>	As indicated and to be maintained
14.	<p>Electricity</p> <p>Submit to the Principal Engineer, EDQ Development Assessment, DILGP either:</p> <p>a) written evidence from Energex confirming that existing underground low-voltage electricity supply or overhead where agreed to by the local council is available to the</p>	Prior to commencement of site works

	development; or b) written evidence from Energex confirming that the applicant has entered into an agreement with it to provide underground or overhead where agreed to by the local council electricity services.	
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STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval. For advice on other approvals that may be necessary in relation to your proposal, it is recommended that you seek professional advice.

**** End of package****